

Serial No. 09/775,281
Applicants: McMenimen et al.
Page 2

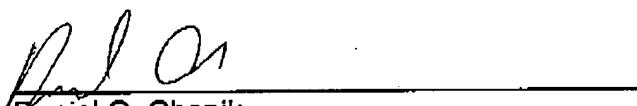
REMARKS

Claims 7-9 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 6 and 7 of co-pending Application Serial No. 09/775,262.

Applicant submits herewith a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending Second Application. In view of the foregoing remarks, it is believed that the application is in condition for allowance and notice of the same is respectfully requested.

Respectfully submitted,

Date: 1/14/04



Daniel G. Chapik
Registration No. 43,424
MEDTRONIC, INC.
Telephone: (763) 514-3066
Facsimile: (763) 514-6982
Customer No. 27581